

ORDINANCE NO. 99-33

JAN 24 2000

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY, APPROXIMATELY 6.5 ACRES OF LAND ADJACENT TO THE CITY LIMITS OF KY

WHEREAS, the owners of record of the unincorporated territory described below would like to have annexed to the incorporated area of the City of Richmond, Kentucky approximately 6.5 acres of land adjacent to the City Limits, and

WHEREAS, Dale Combs the sole owner/owners of the land being proposed for annexation have by letter dated May 26, 1999 applied for voluntary annexation and requested their property be zoned B-3, and

WHEREAS, it is the intent of the Richmond City Board of Commissioners to annex this land described below as per annexation procedures established by Ordinance No. 96-17, adopted February 20, 1996.

Parcel 1

Lot 1 of Greenhills Subdivision, a plat of which is recorded in Plat Book 2 at Page 76 in the Office of the Clerk of the Madison County Court.

AND BEING the same property conveyed to Wendell Combs and Diana Combs, his wife, and Dale Combs and Sarah Kathy Combs, his wife, by Warden P. Hacker and Shirley Hacker, his wife, by deed dated March 22, 1988, of record in Deed Book 319, page 604, Madison County Court Clerk's Office.

ALSO:

A certain tract or parcel of land being known as Lot #2 of the Greenhills Subdivision as designated on plat of said subdivision recorded in Plat Book 2, at Page 76, in the Office of the Madison County Court Clerk, reference to which is hereby made.

AND BEING the same property conveyed to Wendell Combs and Dale Combs by Warden P. Hacker and Shirley Hacker, his wife, by deed dated October 18, 1984, of record in Deed Book 364, page 299, Madison County Court Clerk's Office.

Parcel 2

A certain tract or parcel of land being labeled as "Oscar Hacker" on the Plat of Greenhills Subdivision as

designated on plat of said Subdivision recorded in Plat Book 2, at Page 76, in the Office of the Madison County Court Clerk's, reference to which is hereby made.

Being a part of the same property conveyed to Warden P. Hacker, from Builders Concrete Block Company, Incorporated, a Kentucky Corporation, by Deed dated September 24, 1981, and recorded at Deed Book 339, page 153, Madison County Court Clerk's Office.

WHEREAS, the proposed annexation meets the requirement of KRS 81A.410, and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412, and

WHEREAS, it is declared pursuant to KRS 81A.420 that it is desirable to annex this unincorporated territory and the Richmond Planning and Zoning Commission shall conduct a Public Hearing pursuant to KRS 100.209 for its recommendation as to zone classifications and any zoning map amendments.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Richmond that:

SECTION I

The unincorporated territory described above being adjacent and contiguous to the corporate limits of the City of Richmond, Kentucky, is hereby proposed to be annexed to the boundaries of the City of Richmond.

SECTION II

The Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 on August 25, 1999, and recommended that the zoning classifications of subject property be B-3.

SECTION III

The City Clerk cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

Date of First Reading: September 7, 1999

Motion By: Commissioner Hacker

Seconded By: Commissioner Tobler

Vote:	Yes	No
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Commissioner Brewer	x	
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Commissioner Hacker	x	
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Commissioner Jones	x	
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Commissioner Tobler x
Mayor Durham x


Date of Second Reading: September 21, 1999

Motion By: Commissioner Hacker

Seconded By: Commissioner Brewer

Vote:	Yes	No
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Commissioner Brewer	x	
Commissioner Hacker	x	
Commissioner Jones	x	
Commissioner Tobler	x	
Mayor Durham	x	



Mayor

Attest:



City Clerk

RICHMOND PLANNING AND ZONING COMMISSION
August 25, 1999

The Richmond Planning and Zoning Commission met in Regular Session in the Conference Room of City Hall on August 25, 1999 at 5:30 P.M.

PRESENT: Commissioners Blake, Connor, Richards, Rush, Wiggins and Carnes

ABSENT: Commissioners White

OTHERS PRESENT: Richard Boneta, Director Codes and Planning; John Stratman, Engineer; Jean C. Logue, City Attorney; Anna Kelley, Secretary

APPROVAL OF MINUTES: August 11, 1999

Motion was made by Commissioner Rush and seconded by Commissioner Connor to approve the minutes of August 11, 1999 as presented.

VOTE: Yes, Unanimous

ABSENT: Commissioner White

DALE COMBS - HIGHWAY 25 AND SKYLINE DRIVE - ZONING RECOMMENDATION

Mr. Dwayne Wheatley: Dwayne Wheatley, Abacus Engineering. Mr. Combs is wishing to annex two different parcels of land into the City of Richmond. The property is contiguous to the City of Richmond by the property that is shown on the plat as zoned B-3 by approximately five to seven feet. That makes it contiguous to the City. The property is located on Highway 25 going toward Berea, there at Skyline Drive and Highway 25. He has a BP Mart on the 0.52 acres and the 0.50. He is in the process of building a BP on the 5.10 acre tract.

Ms. Logue: Are these two lots the only thing that is in the City?

Mr. Wheatley: The Earl Cornelison property behind those lots is also in the City.

Ms. Logue: O'kay. But these two are the only ones on Skyline Drive?

Mr. Wheatley: Yes.

Commissioner Carnes: What street is Earl Cornelison's Property on? Willow Drive?

Commissioner Blake: Where did you all get that Willow Drive from?

Mr. Wheatley: We got it from some old plats of that subdivision.

Commissioner Blake: That is not what is on the street signs.

Mr. Wheatley: We can correct it on this drawing.

Commissioner Blake: It said Green Hills Drive. Then the one to the right is Continental Drive.

Ms. Logue: What is on the property right now?

Mr. Wheatley: He is in the process of building a new gas station, a BP on the 5.10 tract.

Commissioner Connor: The other one already has a gas station and a car wash on them.

Commissioner Blake: Is he closing the original BP Station?

Mr. Wheatley: He doesn't know what he is going to do with it.

Commissioner Blake: If he doesn't leave it as a Gas Station does he have to take the tanks out?

Mr. Wheatley: They have a year to take them out.

Commissioner Rush: Is this whole thing B-3?

Ms. Logue: These two lots are B-3 and the property behind it, the rest is in the County.

Commissioner Rush: This has already got a gas station on it, doesn't it?

Ms. Logue: It is in the county. He is requesting annexation so he needs for you to make a recommendation as to what zone he comes in as. He is annexing voluntarily and he is asking for B-3 zoning.

Commissioner Rush: Is the sewer and water and all of those things out there?

Commissioner Connor: It is on septic tank.

Mr. Stratman: There isn't any sanitary sewer, is there?

Mr. Wheatley: They are in the process of working with Richmond Utilities on an auto experiment system. But they

are still working it out. They will definitely tie onto City Sewer.

Mr. Stratman: That current development, did they go before the County with a development plan, or how does that work?

Mr. Wheatley: That was pre-land use.

Mr. Stratman: Even the new station?

Mr. Boneta: It probably has state inspections because it is commercial out in the County.

Commissioner Connor: The County Waste Management, how often do they pick up?

Mr. Combs: Twice a week.

Commissioner Carnes: What about Continental Metal, Earl Cornelison, is it on sewer?

Mr. Wheatley: There is sewer at the trailer park that runs down to the City pump station that takes care of the Industrial Park.

Ms. Logue: That is all in the new plan. To take that area into the sewer system. They may have a cost to tie onto it.

Commissioner Blake: It is out there anyway, isn't it? Isn't it feeding the rest area?

Ms. Logue: No. The rest area is on the new plan. They are building that sewer system below Duncannon and part of that plan is to get the rest area off its own treatment package.

Commissioner Blake: I was thinking, isn't there sewer that runs out there?

Mr. Boneta: I think there is one up toward the top of the hill. One of his options is to lift it up there.

Ms. Logue: The Industrial Park has sewer doesn't it?

Mr. Boneta: Yes. If the City annexes them they have to be able to get on our utilities.

Commissioner Blake: Do they have to get on? Or do they have a choice?

Mr. Boneta: They have no choice, they have to get on.

Ms. Logue: They bear part of the cost to hook on.

Commissioner Blake: I'm just wondering on his new business,

it looks like he should have brought us up a development plan to review. I mean we require a dumpster site to be here.

Commissioner Rush: Does the County require plans?

Mr. Stratman: Yes.

Mr. Wheatley: He said he had a plan on the 5.10 acres.

Commissioner Rush: Did the county approve it?

Mr. Stratman: Yes.

Commissioner Blake: For example, the dumpster, doesn't it have to adhere to what the City requires when it comes into the City?

Mr. Boneta: When it comes into the City, yes. I don't think he has any problem with that.

Ms. Combs: It is already done that way, any way.

Mr. Boneta: I think you have got some neighbors here. I don't know if they are here to say anything or just listen.

Ms. Peters: I wasn't aware anyone on Skyline Drive was in the City. Is Continental Metals in the City?

Mr. Boneta: Yes.

Commissioner Carnes: Would anyone like to speak against this zoning recommendation?

Ms. Peters: I don't know how it is going to effect me. It is just the Comb's property, right?

Mr. Boneta: Yes.

Commissioner Connor: Are you in the City now?

Ms. Peters: No sir.

Commissioner Connor: Close to it.

Ms. Peters: I join the Comb's.

Commissioner Blake: It's the old Richmond Drive In property.

Ms. Peters: Approximately 21 1/2 acres.

Commissioner Blake: The old Richmond Drive In, right?

Ms. Peters: Yes sir.

Commissioner Blake: It probably would help you. Do your touch their's.

Ms. Peters: Yes sir.

Commissioner Blake: You can come into the City if you want to.

Ms. Logue: If it comes into the City under our B-3 zone then he is allowed to develop this property in accordance to our B-3 zone. So, whatever is allowed in B-3. But then he also is prevented from doing anything not allowed in our highway business zone. It may give him options he doesn't now have but it also may preclude other options that he may now have.

Commissioner Carnes: If there is not any more discussion we need a motion.

Commissioner Rush: How far out of town is this property?

Commissioner Blake: Do you remember where the old concrete black plant was?

Commissioner Rush: Yes.

Commissioner Blake: That is where this is located.

Commissioner Carnes: Out there past Okonite. We need a motion to either recommend to the City Commission to annex it or not.

Commissioner Rush: As B-3.

Commissioner Carnes: As B-3.

Commissioner Rush: I move that.

Commissioner Carnes: We have a motion by Commissioner Rush to recommend to the City Commission to annex this property and zone it B-3.

Commissioner Wiggins: I second it.

Commissioner Carnes: Second by Commissioner Wiggins. Call the roll please.

Clerk: Commissioner Blake

Commissioner Blake: Yes

Clerk: Commissioner Connor

Commissioner Connor: Yes

Clerk: Commissioner Richards

Commissioner Richards: Yes

Clerk: Commissioner Rush

Commissioner Rush: Yes

Clerk: Commissioner Wiggins

Commissioner Wiggins: Yes

Clerk: Commissioner Carnes

Commissioner Carnes: Yes

ABSENT: Commissioner White

APPLICATION FOR ZONING MAP AMENDMENT

Richmond Planning Commission

City Hall

Richmond, Kentucky 40475

GENERAL INFORMATION

DATE: 8/20/99

FEE: \$200.00

1. Owner(s) of Property:

Dale Combs

2. Property address:

1898 & 1900 US Hwy 2
Richmond KY 40475

3. Existing Zoning: County

4. Existing Use: Commercial

5. Acres: 5.10 & 1.02

6. Surrounding Property:

	<u>Use</u>	<u>Zoning</u>
a. North	Vet. Clinic	County
b. East	US Hwy 25	
c. South	Amusement Park	
d. West	Trucking Company	

7. Urban Services:

	<u>Exists</u>	<u>Provided By</u>
a. Sewage	<u>yes</u>	<u>Septic</u>
b. Refuse	<u>yes</u>	<u>County Waste mgmt</u>
c. Water	<u>yes</u>	<u>Madison Utilities</u>
d. Electric	<u>yes</u>	<u>KU</u>
e. Fire, Police	<u>m</u> <u>yes</u>	<u>Mad Co. Sheriff / State Police</u>
f. Gas	<u>yes</u>	<u>Delta</u>
g. Storm Sewers	<u>yes</u>	<u>County</u>

8. Justification for Requested Change (K.R.S. 100.213)

Changes in the area

9. Brief Legal Description of Property: Tract of land located on
the west side of US Hwy 25 fronting approx.
325 feet on US Hwy 25 & 565 ft. on Skyline Dr
10. Additional Information: and containing 5.10 Acres

11. Applicant's Signature: I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted and the information is true and correct. I further certify that I am Owner of this property, since 1998 (year).
- Date: 8/20/99 Signature(s): Wde w/oml

Richmond Planning Commission
P. O. Box 250
Richmond, Kentucky 40476-0250

Date: August 11, 1999

RE: Requested Amendment
of the Zone Change

Dear

By means of this courtesy letter, the City Planning Commission of Richmond, Kentucky would like to inform you of a request made by a property owner in your neighborhood that might be of interest to you.

The location of the property, the applicant for the change, and the general nature of the change is indicated below.

In order to provide any concerned person with an opportunity to support, or object to the requested change, the Planning Commission will hold a public hearing to which you are cordially invited.

1. Address of Property requested for zone change: Highway 25 at the intersection of Highway 25 and Skyline Drive
2. Zone change requested: From: County To: B-3
3. Owner of Property requested for zone change: Dale Combs
4. Address of Owner: 207 Ogg Lane, Richmond, Kentucky
5. Name of zone change applicant: Dale Combs
6. Address of zone change applicant: 207 Ogg Lane, Richmond, Kentucky
7. Date of public hearing meeting: August 25, 1999
8. Time and location of meeting: 5:30 P.M., First Floor of City Hall

If you should desire any additional information in regard to this zone change request, please feel free to contact Richard Boneta the Administrative Official, (606) 623-1000, extension 600.

Sincerely,


Hobart Carnes
Chairman

PLEASE NOTE:

The oversize map or maps submitted with this particular filing are currently unavailable for online research. The map(s) will be added at a later date.

For copies needed immediately, please contact the Secretary of State's Office, Land Office Division, phone 502-564-3490.